

**TILLAMOOK CITY COUNCIL MEETING  
MONDAY, APRIL 20, 2009 - 7:30 P.M.  
CITY HALL, 210 LAUREL AVENUE**

**WORKSHOP:** City Council meeting was preceded by a workshop beginning at 6:30 P.M. to receive update on the FEMA Hazard Mitigation Grant Program buyout properties.

Executive Sessions were held during the workshop according to ORS 192.660(2)(e) Real Property Transactions and ORS 192.660(2)(h) Legal Counsel.

**CALL TO ORDER/FLAG SALUTE:**

**Mayor McPheeters** called the regular City Council meeting to order at 7:38 P.M. and led the Pledge of Allegiance.

**ROLL CALL:**

**Those present for roll call:**

Mayor Bob McPheeters  
Councilor Joe Martin  
Councilor Carolyn Decker  
Councilor Suzanne Weber  
Councilor John Sandusky  
Councilor Willard Berry

**Absent: None.**

**Staff Present:**

Mark Gervasi, City Manager  
John Putman, City Attorney  
Bernadette Sorensen, City Recorder

**AGENDA:**

The posted agenda for the meeting of April 20, 2009 is attached and by this reference is made a part of the record.

**ADDITIONAL INFORMATION PROVIDED TO MEMBERS AFTER PACKET ISSUED:**

(Copies attached)

1. Voucher Register for current bills to be reviewed for payment.
2. Letter from Don Hurd supporting the TRA Business License surcharge request. (Exhibit A)
3. TRA quarterly (Jan.-Mar. 2009) report. (Exhibit B)
4. Letter of contribution efforts of the Tillamook County Women's Resource Center for the Domestic Violence Shelter Project. (Exhibit C)

**MINUTES:**

Council minutes were not available at this time.

**PROCLAMATION:        2009 Letter Carriers Food Drive Day – May 9, 2009**

**Mayor McPheeters** explained the proclamation. **Councilor Martin** moved the approval of the proclamation. **Councilor Weber** seconded the motion. Motion carried unanimously by Council seated.

**PRESENTATION:**      **Tillamook State Forest -- Dan Cotton**

**Cotton** presented the City a plaque and flag representing the City of Tillamook as part of the Tree City U.S.A. for 22 years.

**MONTHLY REPORT:**      **None**

**PUBLIC HEARINGS:**

**1. CITIZEN HEARINGS - NON-AGENDA ITEMS:**

**Don Hurd, Tillamook** asked the City Council to have a special recognition of Robert Riggert, described as a one-man Urban Renewal Agency. Riggert has done more to beautify the Tillamook downtown area than anyone else. Councilor Decker agreed. Mayor McPheeters and Gervasi would meet to discuss this recommendation.

**Rotary Club of Tillamook representatives Greg English and Brett Hurliman** told the Council that they were responsible for placing certain playground equipment at Peace Park on 9<sup>th</sup> Street several years ago. It recently came to their attention that the playground equipment was removed. They budget to repair/replace the equipment. Gervasi asked that Sullivan (absent tonight) contact the representatives regarding the removal of the equipment.

**2. COUNCIL CONCERNS - NON-AGENDA ITEMS:**

**Councilor Sandusky made a motion that the City take ownership of the Dairy Queen and Tillamook R.V. Repair property** that has been vacated through a FEMA buyout process. **Councilor Martin seconded the motion.** Under discussion Councilor Berry thought the motion should wait until New Business on the agenda. Attorney Putman said he felt it was okay to proceed with the motion at this time. **Motion carried unanimously by Council seated.**

**Councilor Weber** showed the Council the plaque that will be put on the Wayne Dean Wayside property.

**3. BUSINESS REGISTRATION SURCHARGE**

**Gervasi** briefed the Council on this request. **Mayor McPheeters** said he would allow 3 minutes per guest wishing to speak. **Don Hurd** read into the record his letter (Exhibit A) in support of the request. **Chris Kell**, representative for the Tillamook Revitalization Association, gave the Council a copy of their quarterly report for Jan. – Mar. 2009 (Exhibit B). She went through the report with the Council.

**Andy Neal**, Chamber of Commerce Executive Director and **Debra Huffman**, President of the Chamber told the Council that their board met today and unanimously voted to not support this tax. They represent over 300 businesses in this community. They felt that this surcharge was neither in the best interest nor the right time to tax businesses.

**Doug Henson**, president of the Tillamook Downtown Revitalization Association spoke in favor of the surcharge. He said the surcharge has done a lot of good over the past years and encouraged the Council to support the surcharge and look at a longer term than just two years. Andy Neal rebutted comments from Henson.

**Tom Connaughton, Shaun Lambert and Aaron Zimmerman** also spoke in favor of the TRA surcharge request.

**Mayor McPheeters** said the Council will consider the testimony heard tonight and decide in the next few weeks. There being no further comments the Public Hearing portion of the meeting was closed.

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**PERMITS & LICENSES:** NONE

**COMMITTEE REPORTS:** NONE

**NEW BUSINESS:**

**1. Women's Resource Center Site – Kathleen Marvin, Executive Director**

**Marvin** thanked the Council and City for partnering with them and said that it is now time to transfer ownership of the property via trust deed. There are two options. **Option 1** is that the use of the property as a domestic violence shelter remains as such. **Option 2** is for five years from the date of closure of the 2006 Community Development Block Grant it remain as a domestic violence shelter, then to Grantee in fee simple absolute without any "domestic violence shelter use" covenant, condition or restriction. They are asking that Council transfer ownership via Option 2 instead of a permanently restricted deed. Marvin introduced Deborah Dyson, legal counsel, who briefed the Council on their involvement regarding the grant. Marvin handed the Council a copy of their contributions to the Domestic Violence Shelter Project since the beginning (Exhibit C).

**Councilor Sandusky made a motion that (the City of Tillamook) transfer the property by use of a five-year deed of trust using Option #2 on the draft Trust Deed. Councilor Berry seconded the motion. After a lengthy discussion Council seated voted unanimously on the motion.**

**2. Carlich House \$20,000 ODOT Quick Fix Grant for sidewalk**

**Gervasi** briefed the Council on the project which includes both demolition and concrete work. Project was put out to bid. Bids are included with packets. Staff recommendation is to accept the bid for Demolition/Excavation from Leonnig for \$2,375.00. Staff recommendation is to accept the bid for Concrete Work from Brian Warner for \$2,365.00.

**Councilor Weber moved to approve the bids for the Carlich House sidewalk project that were submitted by Tom Leonnig and Brian Warner for demolition, excavation and concrete work. Councilor Sandusky seconded the motion. Motion carried unanimously by Council seated.**

**LEGISLATIVE**

**1. \$1,000,000 OECDD LOAN TO INCLUDE INTEREST AMOUNT OF \$54,349 FOR WWTP UPGRADE – RESOLUTION**

**Gervasi** explained that the interest of said \$1,000,000 loan is \$54,349 and he recommends passage of the resolution to include the interest in the permanent loan. The loan (including the interest) would be paid back over a 25 year period beginning December 2009. If the interest is **not** included in the loan then the \$54,349 would have to be paid in one lump sum soon after April 28, 2009.

**Councilor Weber moved to approve the resolution to include the interest of \$54,349 to the OECDD permanent loan of \$1,000,000 and for the Mayor to sign the resolution. Councilor Decker seconded the motion. After further discussion motion carried unanimously by Council seated.**

**2. SRF LOAN R91567 AMENDMENT NO. 6 TO INCREASE LOAN BY \$866,664 -- RESOLUTION**

Gervasi explained the resolution and recommended that Council approve the Oregon Department of Environmental Quality Clean Water Revolving Fund loan agreement R91567, Amendment No. 6. This amendment is necessary for the City to secure additional Oregon DEQ loan funds to complete the Wastewater Treatment Plant expansion project. Oregon DEQ Amendment No. 6 increases the availability of funds by \$866,664 to pay project costs.

**Councilor Sandusky moved the approval of Amendment No. 6 to DEQ agreement – Clean Water State Revolving Fund Loan R91567 increasing the loan amount by \$866,664 and the aggregate principal amount not to exceed \$12,271,773 and have the mayor sign the document. Councilor Weber seconded the motion. Motion carried unanimously by Council seated.**

### **3. REIMBURSEMENT DISTRICT ORDINANCE – SECOND READING**

Gervasi explained the revisions to the ordinance – Section 6 adding 6.6, Section 11 adding one sentence and the end of the section, and Section 12 adding 12.5.

**Councilor Weber moved for the second reading of the Reimbursement District Ordinance by title only. Councilor Martin seconded the motion. Motion carried unanimously by Council seated. Sorensen read the ordinance by title only.**

**Councilor Berry moved to adopt the ordinance. Councilor Sandusky seconded the motion. Motion carried unanimously by the following roll call vote.**

<b>Councilor Martin</b>	<b>Aye</b>	<b>Councilor Sandusky</b>	<b>Aye</b>
<b>Councilor Decker</b>	<b>Aye</b>	<b>Councilor Berry</b>	<b>Aye</b>
<b>Councilor Weber</b>	<b>Aye</b>		

### **STAFF COMMUNICATIONS/CORRESPONDENCE/DISCUSSION:**

- **Spring Clean-Up flyer**
- **Ward 4 Council Vacancy-** Gervasi stated the City has received 2 applications for Ward 4. Deadline is April 27, 2009. Council discussed pending re-mapping of ward boundaries. It was decided to leave the boundaries as is for the appointment to Ward 4.

### **MAYOR'S REPORT:**

Mayor McPheeters told Council there is an Oregon Solutions meeting at the Dept. of Forestry building on April 23, 2009 from 1:30 – 4:00 P.M. There is also a League of Oregon Cities Board of Directors meeting at the Pine Grove Community Hall in Manzanita that he will be attending.

### **AUTHORIZATION TO PAY BILLS:**

The Finance Committee had reviewed the current bills prepared for payment. **Councilor Martin moved to pay the bills approved by the Committee. A second was made by Councilor Weber. Council seated approved the motion unanimously. Bills were paid in the following total amount. A copy of the voucher register is attached and by this reference is made a part of the record.**

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**GENERAL CHECKING ACCOUNT**

Special Batch 4/08//09	Check #26371	\$ 500.00
A/P 4/20/09	Checks #26372 – 26413	\$ 109,884.24

**ADJOURNMENT:**

There being no further business Mayor McPheeters adjourned the meeting at 9:50 P.M.

**APPROVED:**

\_\_\_\_\_  
Mayor

**ATTEST:**

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City Recorder